

Sunset Public Hearing Questions for
Great Smoky Mountains Park Commission
Created by Section 11-19-101, *Tennessee Code Annotated*
(Sunset Termination June 30, 2022)

Enabling Statute, Purpose, and Rules and Regulations

1. Please provide a brief introduction to the Great Smoky Mountains Park Commission, including information about its purpose, statutory duties, and staff.

The Tennessee Great Smoky Mountains Park Commission (“Commission”) was created by the General Assembly in 1974 to “devote its attention to the problems of that portion of the Great Smoky Mountains National Park which lies within the state of Tennessee.” Tennessee Code Annotated section 11-19-101. Its functions include:

- Conferring with the National Park Service regarding policies observed in Great Smoky Mountains National Park (GSMNP);
- Providing information to Congress regarding the needs of GSMNP, including financial appropriations;
- Cooperating with similar commissions in states adjacent to GSMNP;
- Urge reasonable use of trails within GSMNP;
- Maintain entrances to GSMNP free from commercial advertising and businesses; and
- Taking action to preserve the natural beauty and scenery of GSMNP.

The Commission is an independent body attached to the State of Tennessee, Department of Environment and Conservation (“Department”) for administrative purposes. The law specifies that the Commission is to meet at least every six months.

2. Does the commission have the authority to promulgate rules? If not, is rule-making authority needed? If rules have been promulgated, please cite the reference.

The Commission does not have the authority to promulgate rules and, at this time, does not require such authority.

Commission Organization

3. Provide a list of commission members and describe how membership complies with Section 11-19-102, *Tennessee Code Annotated*. For each member, please indicate who appointed the member, the statutory member representation, the beginning and end of the member’s term, and whether the member is serving a consecutive term.

The Commission consists of five members appointed by the Governor as well as the commissioners of the Department of Tourist Development and Department of Environment and Conservation, who serve as ex officio members. The members serve staggered five-year terms, and there are no special requirements for appointment.

<u>Member</u>	<u>Term Expires</u>	<u>Appointed Representation</u>	<u>Consecutive</u>
Sherry Chobanian	06-30-2021	Governor	Yes
Kevin Christopher	06-30-2024	Governor	No
William C. (Bill) Clabough	06-30-2021	Governor	Yes
Warren L. Gooch	06-30-2025	Governor	Yes
Daniel Lawson	06-30-2022	Governor	Yes
Jim Bryson	Ex Officio	Deputy Commissioner, Parks & Conservation	
Mark Ezell or designee	Ex Officio	Commissioner, Department of Tourist Development,	

4. Are there any vacancies on the commission? If so, please indicate how long the position has been vacant and explain the steps that have been taken to fill any vacancies.

There are no vacancies on the Commission. Both Bill Clabough and Sherry Chobanian have been renominated and are pending approval.

5. How many times did the commission meet in each of the last three fiscal years?

Commission members have met on the following dates in the last three fiscal years:

FY 2019:

November 10, 2018

FY2020:

September 23, 2019

October 28, 2019

FY2021:

October 19, 2020

October 29, 2020

December 3, 2020

For FY2022, there is a meeting scheduled for July 8, 2021.

6. How many members were present at each meeting? Please note any meetings where the commission did not have a quorum.

All members, including ex officio, attended each scheduled meeting. In addition, members attended several virtual public meetings hosted by GSMNP to solicit input on management issues.

Financial Information

7. Please provide a summary of the commission's revenues and expenditures for the for the last three fiscal years. Does the commission carry a fund balance? If so, please provide additional relevant information regarding the fund balance.

The Commission does not receive or generate revenue.

8. What per diem or travel reimbursements do commission members receive? How much was paid to commission members in each of the last 3 years?

Members receive no compensation for their services. The Commission does not receive state appropriations and does not have a budget. Members are entitled to reimbursement for necessary travel expenses; however, no expenses were submitted or reimbursed during the last three fiscal years. The Commission members have contributed their time and services for the benefit of the park at no cost to the state.

9. Does the commission collect fees? If yes, please provide relevant information about fees collected, including type and amount. Indicate whether fees were established through rule or through state law.

The Commission does not collect fees.

Sunshine Law, Public Meetings, and Conflict of Interest Policies

10. Is the commission subject to sunshine law requirements for public notice of meetings, prompt and full recording of minutes, and public access to minutes? (This provision of state law is located in *Tennessee Code Annotated*, Section 8-44-101 et seq.)? If so, what procedures does the commission have for informing the public of meetings and making minutes available to the public?

Yes. Information on future meetings and meeting minutes are made available to the public on the Commission's webpage: <https://www.tn.gov/environment/about-tdec/boards-and-commissions/board-great-smoky-mountains-park-commission.html>.

11. Does the commission allow for public comment at meetings? Is prior notice required for public comment to be heard?

The Commission welcomes the public to join all meetings and provide comments. Prior notice is not required to comment.

12. How does the commission ensure that its members and staff are operating in an impartial manner and that there are no conflicts of interest? If the commission operates under a formal conflict of interest policy, please attach a copy of that policy.

The Commission does not have staff or employees. The Commission is not required to operate under a formal conflict of interest policy but does

Commission Responsibilities

13. How does the Great Smoky Mountains Park Commission work with the Division of State Parks to provide advice to department leaders and state and local elected officials on matters related to the care and upkeep of the portion of the park that is located within Tennessee?

The Commission is comprised of members who reside in the immediate vicinity of the Great Smoky Mountains, who represent a variety of perspectives on the issues involving GSMNP, and who are familiar with and understand these issues. The Commission also stays abreast of park issues and activities through regular briefings from park staff, the Department's Deputy Commissioner of Parks & Conservation and the Commissioner of Tourist Development and staff and the many local advocacy organizations whose mission and purpose is protecting and promoting the park.

14. Does the commission make recommendations or take an official position on legislation before the General Assembly that may affect the protection of the Great Smoky Mountains National Park in Tennessee?

Yes. The Commission acts by formal resolution and communication with state and national leaders (e.g., Congressional delegation, National Park Service officials) as park issues and needs are identified. The Commission also remains informed regarding air quality issues in the park and periodically receives status updates regarding state and federal actions that can affect air quality.

Reports, Major Accomplishments, and Proposed Legislative Changes

15. Does the commission submit an annual report of its activities to the Governor and the General Assembly within fifteen days after the convening of each regular legislative session as required in Section 11-19-104, *Tennessee Code Annotated*? Please provide links to any reports issued in the last three fiscal years.

Yes, the Commission submits an annual report as required by law. Annual Reports for 2020, 2019, and 2018 can be found under "Meeting Documents" here: <https://www.tn.gov/environment/about-tdec/boards-and-commissions/board-great-smoky-mountains-park-commission.html>.

16. What were the commission's major accomplishments during the last three fiscal years? Specifically, describe the nature and extent of commission activities as defined in Section 11-19-103, *Tennessee Code Annotated*.

On October 19, 2020, GSMNP staff invited the Commission and members of the public to attend a virtual interactive workshop. The purpose of the workshop was to provide input on how GSMNP can improve visitor experiences and alleviate congestion at some of its busiest destinations. Providing a high-quality visitor experience has grown more challenging due to recent, increased visitation. Since 2009, annual visitation to the GSMNP has increased by 32%, resulting in congested roadways, overflowing parking lots, roadside soil erosion, vegetation trampling, and long lines at restrooms and visitor center facilities. GSMNP received a record 12.5 million visits in 2019 and set monthly visitation records in June, July, and August in 2020.

During the workshop, the Commission and public learned about the current visitation rate and were introduced to congestion management strategies used on public lands across the world. The Commission also participated in a small online group discussion providing input on how the GSMNP might improve visitor experiences and alleviate congestion at Cades Cove, Clingmans

Dome, Deep Creek, Big Creek, Rainbow Falls, Grotto Falls, Alum Cave, Chimney Tops, and Laurel Falls.

GSMNP staff reviewed the feedback received during the workshop and plan on selecting one or more pilot projects to implement during 2021. The Commission continues to engage with park leadership and stakeholders to assist with the development of strategic long-term solutions.

On December 3, 2020, the Commission held a virtual meeting and heard updates from GSMNP Superintendent Cassius Cash. Topics included GSMNP management team updates, the Great American Outdoor Act, challenges brought on by increased visitation and declining NPS staff, and current visitor experiences and resource impacts. In addition, attendees were provided updates from the Department's Deputy Commissioner of Parks and Conservation and the Commissioner of the Department of Tourist Development.

On September 23, 2019, Commission members joined Family and Friends of Dean Stone, Great Smoky Mountains National Park officials, Senator Lamar Alexander, Congressman John J. Duncan, Jr, Congressman Phil Roe, Sevier County Mayor Larry Waters, Blount County Mayor Ed Mitchell and other guests to dedicate the Dean Stone Bridge on the Foothills Parkway between Walland and Wears Valley.

Members of the Commission supported Senator Lamar Alexander and the Conservation Fund's efforts to assemble a list of recommendations and opportunities for recreational use along the undeveloped section of the Foothills Parkway in eastern Tennessee.

Community leaders met on October 28, 2019 to discuss forming a technical advisory group (TAG) made up of stakeholders whose purpose is to make recommendations and provide key information for the benefit of the larger group. Initial research conducted by the Conservation Fund found that development of recreational opportunities at Green Mountain and Wears Valley/Metcalf Bottoms Connector was most feasible at this time and will give the TAG two areas to focus efforts on. The Commission will continue to stay engaged in future discussions and help as needed.

17. What, if any, challenges have the commission addressed in the last three fiscal years?

The Commission assists GSMNP staff to address challenges brought on by increased visitation and declining NPS staff impacting current visitor experiences and the natural resource.

18. Please describe any items related to the commission that require legislative attention and the legislative changes that the commission is proposing.

None currently.

19. Should the commission be continued? To what extent and in what ways would the absence of the commission affect the public health, safety, or welfare of the citizens of the State of Tennessee?

Yes, the Commission fulfills a vital communication link between park officials, federal and state elected officials, and the community. The Commission is an unpaid volunteer body whose primary concern is the welfare of the GSMNP and its impact on surrounding communities. No other state-

level agency is charged with the responsibility to act on behalf of the state of Tennessee with regard to policies of the National Park Service and to take action to preserve the natural beauty and scenery of the GSMNP. The Commission continues to act as an advisor to park staff, a liaison with the state of Tennessee and GSMNP, and advocate on behalf of GSMNP with the federal government and the Tennessee Congressional delegation on matters affecting the needs of the park and to support the enhancement, protection and preservation of its vast natural and cultural resources. Today, Tennessee has better working relationships and dialogue with all national parks in the state because of efforts spearheaded by the Commission. The Commission fulfills these roles at little or no expense to the state, and therefore its authorization should be extended.

20. Identify the appropriate agency representative or representatives possessing substantial knowledge and understanding of the responses provided to the sunset review questions.

John LeCroy, TDEC Director of External Affairs, Knoxville Regional Office
Blair Beaty, Legislative Liaison

21. Identify the appropriate agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

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22. Provide the office address, telephone number, and email address of the agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

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